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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/783,842	02/20/2004	Samuel W. Bent	MS1-1955US	7498
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LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			EXAMINER YIGDALL, MICHAEL J	
			ART UNIT 2192	PAPER NUMBER
			NOTIFICATION DATE 05/03/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

lhptoms@leehayes.com

Office Action Summary

Application No.

10/783,842

Applicant(s)

BENT ET AL.

Examiner

Michael J. Yigdoll

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 3/19/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ :
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-47 are pending. A priority date of February 20, 2004 is considered.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 1-31 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

With respect to claim 1, the claim is directed to a “data programming model.” However, as recited, the model amounts to descriptive material *per se*. The model is not embodied on any computer-readable medium that would enable the functionality of the model to be realized. See MPEP § 2106.01. Dependent claims 2-16 do not remedy claim 1.

Note that signals and carrier waves do not fall within any category of statutory subject matter. See *Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility* (1300 OG 142), Annex IV, section (c).

With respect to claim 17, the claim is directed to a “computing system.” However, as recited, the system is reasonably interpreted as strictly software, which amounts to descriptive material *per se*. There are no computer hardware components recited in the claim that would enable the functionality of the system to be realized. See MPEP § 2106.01. Dependent claims 18-31 do not remedy claim 17.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-47 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,463,442 to Bent et al. (recorded on IDS, “Bent”).

With respect to claim 1, Bent teaches a data programming model (see, for example, the abstract), comprising:

a data item having a data item property with an associated value (see, for example, data 250 in FIG. 3, and column 9, lines 8-14, which shows a data source or data item with a property and an associated value);

a user interface element having an element property with a value that can be defined by an association to the data item property (see, for example, display areas 210 and 220 in FIG. 3, and column 6, lines 32-36, which shows user interface elements that are data consumers, and see, for example, column 8, lines 44-49, which further shows the data consumer with a property that defines an association to the data source or data item property); and

a binding definition configured to associate the element property of the user interface element with the data item property such that an application program which generates a user interface for display can be developed independent of the data item, and such that the data item can be developed independent of display-related information corresponding to the user interface

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element (see, for example, column 7, lines 46-57, which shows a binding definition that associates the user interface element with the data source or data item, and see, for example, container applications 230 and 240 in FIG. 3, and column 6, lines 48-64, which shows that such application programs and the data source or data item are independently developed).

With respect to claim 2, the rejection of claim 1 is incorporated, and Bent further teaches a transform definition configured to generate a transformed value of the data item property for association with the element property of the user interface element (see, for example, column 15, lines 27-34, which shows a format or transform definition to generate a formatted or transformed value for association with the user interface element).

With respect to claim 3, the rejection of claim 1 is incorporated, and Bent further teaches a transform definition configured to generate a transformed value of the data item property for association with the element property of the user interface element (see, for example, column 15, lines 27-34, which shows a format or transform definition to generate a formatted or transformed value for association with the user interface element), the transformed value of the data item property being generated from the associated value of the data item property such that the associated value of the data item property is maintained unchanged in a data item database (see, for example, data store 141 in FIG. 3, and column 15, lines 59-67, which shows that the associated value is maintained unchanged in a data store or database).

With respect to claim 4, the rejection of claim 1 is incorporated, and Bent further teaches a transform definition developed as a logic component of the application program, the transform definition configured to generate a transformed value of the data item property for association

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with the element property of the user interface element (see, for example, column 15, lines 27-34, which shows a format or transform definition to generate a formatted or transformed value for association with the user interface element, and column 16, lines 25-33, which further shows a format or transform definition developed as a component of the application program).

With respect to claim 5, the rejection of claim 1 is incorporated, and Bent further teaches a transform definition configured to generate a transformed value of the data item property for compatible association with the element property of the user interface element (see, for example, column 15, lines 27-34, which shows a format or transform definition to generate a formatted or transformed value for association with the user interface element).

With respect to claim 6, the rejection of claim 1 is incorporated, and Bent further teaches an update logic component configured to receive a data item update that corresponds to a change of the associated value of the data item property, and further configured to initiate that the binding definition update the element property of the user interface element with the associated value change of the data item property (see, for example, column 12, lines 2-5, which shows an update component that receives a change in the value of the data source or data item and updates the user interface element).

With respect to claim 7, the rejection of claim 1 is incorporated, and Bent further teaches an update logic component configured to receive a user interface element update that corresponds to a change of the value of the element property of the user interface element, and further configured to update the associated data item property with the value change of the element property of the user interface element (see, for example, column 11, lines 56-61, which

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shows an update component that receives a change in the value of the user interface element and updates the data source or data item).

With respect to claim 8, the rejection of claim 1 is incorporated, and Bent further teaches:

a data context property configured to define the data item as the data source of the user interface element (see, for example, column 12, lines 11-16, which shows a collection or context property that defines the data source of the user interface element); and

an additional binding definition configured to associate an element property of an additional user interface element with an additional data item property of the data item, the additional user interface element having a dependent association to the user interface element, and the additional binding definition further configured to default to the data context property to define the data item as the data source of the additional user interface element (see, for example, column 20, lines 46-55, which shows an additional binding definition for an additional user interface element in the form of a compound user interface element with such a dependent association, and column 20, lines 62-67, which further shows that the collection or context property sets the default data source for the additional user interface element).

With respect to claim 9, the rejection of claim 1 is incorporated, and Bent further teaches:

a data context property configured to define the data item as the data source of the user interface element (see, for example, column 12, lines 11-16, which shows a collection or context property that defines the data source of the user interface element);

an additional binding definition configured to associate an element property of an additional user interface element with an additional data item property of the data item, the

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additional user interface element having a dependent association to the user interface element, and the additional binding definition further configured to default to the data context property to define the data item as the data source of the additional user interface element (see, for example, column 20, lines 46-55, which shows an additional binding definition for an additional user interface element in the form of a compound user interface element with such a dependent association, and column 20, lines 62-67, which further shows that the collection or context property sets the default data source for the additional user interface element); and

wherein a change of the value of the element property of the user interface element initiates a change of a value of the element property of the additional user interface element according to the default data context property (see, for example, column 20, lines 56-59, which shows that the additional user interface element reflects such changes).

With respect to claim 10, the rejection of claim 1 is incorporated, and Bent further teaches:

a collection of data items (see, for example, column 8, lines 32-39, which shows a collection of data sources or data items); and

a representation of the data items each configured for display in a user interface display element that is associated with a referenced data item in the representation of the data items (see, for example, column 20, lines 32-40, which shows a representation of the data sources or data items displayed in associated user interface elements).

With respect to claim 11, the rejection of claim 1 is incorporated, and Bent further teaches:

a collection of data items (see, for example, column 8, lines 32-39, which shows a collection of data sources or data items); and

a first representation of the data items in the collection and at least a second different representation of the data items in the collection, the first representation and the second different representation each being configured to reference the data items in the collection (see, for example, column 21, lines 16-29, which shows different representations of the data sources or data items).

With respect to claim 12, the rejection of claim 1 is incorporated, and Bent further teaches a data style definition configured to define a visual representation of the associated value of the data item property on the user interface (see, for example, column 16, lines 3-24, which shows a data format or data style definition that defines a visual representation of the associated value).

With respect to claim 13, the rejection of claim 1 is incorporated, and Bent further teaches a data style definition configured to define a template for the user interface element to display the associated value of the data item property (see, for example, column 16, lines 3-24, which shows a data format or data style definition that defines a template for the display of the associated value).

With respect to claim 14, the rejection of claim 1 is incorporated, and Bent further teaches a data style definition configured to define a visual representation of data items as a data tree (see, for example, column 16, lines 3-24, which shows a data format or data style definition

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that defines visual representations of data sources or data items, and column 19, lines 10-22, which further shows a data format or data style definition as a data tree).

With respect to claim 15, the rejection of claim 1 is incorporated, and Bent further teaches a data style definition configured to define a visual representation of data items as a data tree, and wherein the data items are maintained independently from the data style definition (see, for example, column 16, lines 3-24, which shows a data format or data style definition that defines visual representations of data sources or data items independently of the data sources or data items, and column 19, lines 10-22, which further shows a data format or data style definition as a data tree).

With respect to claim 16, the rejection of claim 1 is incorporated, and Bent further teaches:

a data style definition configured to define a visual representation of data items (see, for example, column 16, lines 3-24, which shows a data format or data style definition that defines visual representations of data sources or data items); and

a content presenter configured to apply the data style definition to an instantiation of a display element on the user interface to display one or more of the data items according to the defined visual representation (see, for example, column 15, lines 35-49, which shows content presenters that apply the data format or data style definition).

With respect to claims 17-31, the claims are directed to a computing system that corresponds to the data programming model recited in claims 1-8 and 10-16, respectively (see the rejection of claims 1-8 and 10-16 above).

With respect to claims 32-46, the claims are directed to a method that corresponds to the data programming model recited in claims 1-8 and 10-16, respectively (see the rejection of claims 1-8 and 10-16 above).

With respect to claim 47, the rejection of claim 32 is incorporated, and Bent further teaches declaring an instance of a data class which corresponds to a type of data as a resource, and wherein defining the binding association includes referring to the data class in a declaration of the binding association (see, for example, column 7, lines 46-57, which shows declaring a data source object or an instance of a data class and referring to the data source object to define the binding association).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure (see the attached Notice of References Cited).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Yigdall whose telephone number is (571) 272-3707. The examiner can normally be reached on Monday through Friday from 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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